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DECLARATION

Of the causes which led to the formation of THE CONSTITUTIONAL ASSOCIATION OF QUEBEC, and of the objects for which it has been formed.

THE political evils under which Lower Canada has long laboured, have recently been increased in so alarming a degree, that the subversion of Government itself is to be apprehended, with the consequent disorders of anarchy, unless the progress of them be arrested, and an effectual remedy applied.

Under the influence of a party in the Assembly of the Province, labouring by every means which they could devise to concentrate political power in their own hands exclusively, national distinctions have been fostered and established, the administration of the local Government has been perseveringly obstructed and impeded, its authority brought into contempt, and public and private security essentially impaired and endangered; whilst the just subordination of the Colony to the Parent State has been openly questioned, and resistance to its authority, if not avowedly inculcated, certainly covertly promoted.

aX In prosecution of the views of the party to which those evils are mainly ascribable, that portion of the population of the Province which has been by them designated as "of British or Foreign origin" has virtually been, and now is, deprived of the privilege of being heard in the Representative Branch of the Government in support of their interests and views. The portion of the population thus proscribed amounts to about one hundred and fifty thousand souls, or one fourth of the whole, and comprises nearly all the Merchants, ~~the~~ *the* Members of the learned Professions, a large body of skilful and wealthy Citizens and Mechanics, and a great number of respectable and industrious Agriculturalists, who possess extensive real estate, and holds by far the greatest portion of the capital employed in the pursuits of trade and industry, all which interests are liable to be burthened, and in fact have been injuriously affected, in consequence of the proceedings of the said party and of the majority of the same origin by whom they have been supported in the Assembly of the Province. *(see)*

The class of persons by whom Members of the Assembly are almost exclusively returned,—that is, the inhabitants of French origin, who form the majority, and whose character is in other respects most estimable,—has shewn itself peculiarly liable to be acted upon by ambitious and self-interested individuals, who, by exciting the latent national prejudices of the majority against their fellow-subjects of a different origin, can, as appears from late events, lead them astray by specious though perfectly unfounded representations addressed to their prejudices and passions.

By these means the party in the Assembly already alluded to, has acquired a dangerous ascendancy over this class of the population, and the result of the late Elections evinces that they will use it for the purpose of securing the return of such persons only as will act in subserviency to them. Upon that occasion it is notorious that no other qualification was asked or required from Candidates than an implicit acquiescence in the views and wishes of the party as expressed in the Resolutions of the Assembly to be presently adverted to.

While the Representation of the Province continues on such a footing with the concentration of power incident to it, experience has shewn that there can be no hope of a fair and impartial administration of the powers of Government, and there is too much reason to apprehend that in a Body so constituted, the public and general interests of the Province, Commercial and Agricultural, will continue to be overlooked and neglected or subjected to injurious regulations, its improvement obstructed and retarded, and the whole internal Government of the Province deprived of the Legislative superintendence and provisions which are necessary for its efficiency, and the promotion of the general welfare.

The 11th of Nov
The political evils arising from ~~the constitution and composition~~ of the Assembly have been greatly increased and aggravated by the Act of the Imperial Parliament



placing absolutely and unconditionally as is understood, at the disposal of the Assembly, the important Revenue by means of which the Civil Expenditure of the Province was previously defrayed. By this increase to the power derived from great numerical superiority in the Assembly, have been superadded the irresistible weight and influence necessarily conjoined with the exclusive power of appropriating the revenues absolutely and indispensably requisite for defraying the Civil Expenditure of the Province, by means of which the Executive Government has been rendered entirely dependent on the will and pleasure of the leaders in the Assembly for its very existence, and public authority both administrative and judicial, from the Governor in Chief and the Chief Justice of the Province to the most humble individual in the scale of office, has been subjected to their interested, partial, vindictive, or capricious control.

If any doubt could heretofore have been entertained as to the design and tendency of the proceedings of these men, that doubt must have been removed by the Resolutions passed in the Assembly on the 21st day of February, 1834, containing divers false and scandalous imputations of so general a nature as not to admit of answer or investigation, against the character and conduct of His Majesty's Government in this Province,—against the whole body of its Officers, Civil and Military,—against the Judiciary and the second Branch of the Provincial Legislature,—against a large portion of the Inhabitants of the Colony engaged solely in the duties and pursuits of private life, and against the British Government generally as respects this Province since the Cession of of Canada to His Majesty by the Crown of France.

These Resolutions passed by a majority of 56, of whom 51 were Members of French origin, against 24, of whom 17 were not of that origin: They formally class and enumerate His Majesty's subjects in this Province as persons of "French origin" and of "British or Foreign origin," the former of whom are erroneously stated as consisting of 325,030 and the latter of 75,000 souls.

The Address to His Majesty and to the two Houses of Parliament, wherein these Resolutions are embodied, and which have been transmitted to England, claims a revision and modification, by the majority of the people of this Province, of the Constitutional Act; an extension of the elective system contrary to the prerogative of the Crown and the British Constitution, for the purpose of vesting the appointment to offices of honor and profit in the said majority of the people; the election of the second Branch of the Legislature, now appointed by the Crown for life, in virtue of the aforesaid Act; threatening at the same time the British Government and Parliament with the example of the late Colonies now the United States of America, and insisting upon being supported in the demands contained in the said Resolutions, that the people of this Province "may not be forced by oppression to regret their dependence on the "British Empire, and to seek elsewhere a remedy for their afflictions."

In furtherance of the views of the framers of the said Resolutions and Address, the said Resolutions were, shortly after the close of the last Session of the Provincial Parliament, printed and distributed in great numbers throughout the Province at the public expense; and certain Committees were therein invited to be formed, to aid in giving effect to the same, under a pledge of the "honor of the Representatives of the "People," to reimburse the expenses of the said Committees, or to such persons as might advance money to them.

The party already referred to, composed of certain Members of the House of Assembly, of French origin, has for several years past, as already stated, and as is well known, taken advantage of every opportunity,—both by Speeches delivered in the House of Assembly and elsewhere, and through means of Newspapers under their controul, to excite the ancient national prejudices of the inhabitants who are of French origin, against their fellow-subjects who are not of that origin; and particularly by the aforesaid Resolutions printed and distributed as aforesaid, and by meetings and Committees in support thereof, they have in fact so operated upon the prejudices of persons of their origin, as to excite a great number of them to frequent public expressions of hatred, and threatened violence to those not of the same national origin.

In consequence of these machinations and others connected with and resulting from them, it has come to pass, as might have been looked for under such circumstances, that at the late General Election, (as the Poll Books kept of record according to Law will shew,) majorities consisting of persons of French origin have chosen nearly the whole of the Members who are to compose the House of Assembly for the ensuing four years, of persons of that origin who have publicly approved of the said Resolutions, or pledged themselves to their support.

As subordinate to the grievances now stated, but contributing materially to the political evils of the Province, other Departments of the Government may be mentioned as to which measures of reform are urgently called for. The system of Judicature as now established, it is universally known, is altogether insufficient and unsuited to the present state and condition of the Province. From the great extension of the Settlements, and the increase of population in different Districts, the Courts of Original Jurisdiction have become inaccessible to the Inhabitants at a distance from them, otherwise than at a ruinous expense, involving in many cases a denial or failure of Justice; while the Court of Appeals from its peculiar constitution is unfit for the exercise of the powers with which it is intrusted. That a system of such vital importance to the public welfare, and yet so injuriously defective and inadequate, should have continued without alteration or improvement, is among the striking evidences of the imperfect exercise of powers entrusted to the Provincial Legislature.

In every well regulated Government it is essential that the Executive authority should be aided by the advice of able and well informed individuals, acting together and in a body, by which sound discretion, uniformity, consistency and system are imparted to its measures. Among Colonial Governments which are generally administered by persons labouring under the disadvantage of a deficiency of local information, assistance of this nature is indispensable for the attainment of the ends of good Government. This body of advisers ought to be found in the Executive Council of the Province; but its Members are too few in number, and its composition too defective to answer the purposes of its institution.

Whilst the greatest importance ought to be attached to the selection of fit persons for Seats in the Legislative Council, it is indispensably necessary for the stability of the Government as now constituted, and for the security of His Majesty's Subjects within the Province, that the power of appointing Members to that Branch of the Legislature should continue to reside exclusively in the Crown, but subject to such regulations as may be deemed proper for ensuring the appointment of fully qualified persons.

Under the foregoing view of the political state of the Province, the object of the Constitutional Association of Quebec will be,

By Constitutional means—

1st. To obtain for persons of British and Irish origin, and others His Majesty's subjects labouring under the same privation of common rights, a fair and reasonable proportion of the Representation in the Provincial Assembly.

2nd. To obtain such reform in the system of Judicature and the Administration of Justice as may adapt them to the present state of the Province.

3rd. To obtain such a composition of the Executive Council as may impart to it the efficiency and weight which it ought to possess.

4th. To resist any appointment of Members of the Legislative Council otherwise than by the Crown, but subject to such regulations as may ensure the appointment of fit persons.

5th. To use every effort to maintain the connexion of this Colony with the Parent State, and a just subordination to its authority.

6th. To assist in preserving and maintaining peace and good order throughout the Province, and ensuring the equal rights of His Majesty's subjects of all classes.

NOW WE, whose names are undersigned, taking the premises into our serious consideration, do hereby form ourselves into a Constitutional Association for the purposes stated in the foregoing Declaration, and for mutual support in the discharge of the duties of our allegiance to His Majesty, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, dependant on and belonging to the said Kingdom.

Declaring that we wish for no preferences or advantages over our fellow subjects of whatever national origin, nor for any infringement of the rights, laws, institutions, privileges and immunities, civil or religious, in which those of French origin may be peculiarly interested, and to which they are entitled, or which they enjoy under the British Government, and the established Constitution; desiring merely for ourselves the enjoyment of equal rights with our fellow subjects, and that permanent peace, security and freedom for our persons, opinions, property and industry which are the common rights of British Subjects.

And in furtherance of the purposes aforesaid, to the utmost of our power, we hereby pledge ourselves to each other and to our fellow subjects throughout the Empire.

QUEBEC, DECEMBER, 1834.

DECLARATION.

Constitutional Association,
QUEBEC.

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